Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

| In the Matter of |) | |
|----------------------|--------------------|-----|
| Connect America Fund |) WC Docket No. 10 | -90 |
| |) | , , |

COMMENTS OF BEK COMMUNICATIONS COOPERATIVE

BEK Communications Cooperative ("BEK") respectfully submits the following comments to the Federal Communications Commission ("FCC") in response to the Wireline Competition Bureau's (Bureau) publication of the list of all census blocks that price cap carriers have requested funding to serve as part of the second round of Connect America Phase I ("Public Notice").¹

The census blocks listed within Appendix A attached hereto, which appear on the Bureau's list of all census blocks that price cap carriers have requested funding to serve as part of the second round of Connect America Phase I² ("List"), are inaccurately reported on the List as unserved for the reasons BEK provides herein. The blocks listed on Appendix A are served by BEK through their Fiber-To-The-Home ("FTTH") broadband service. BEK hereby requests that these census blocks be removed from the Bureau's unserved and underserved List, as BEK

¹ Wireline Competition Bureau Publishes Census Blocks, And Commences Challenge Process, For Second Round Of Connect America Phase I, WC Docket No. 10-90, Public Notice, DA 13-1832 (rel. August 28, 2013).

² http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-323008A1.xlsx (rel. August 28, 2013).

has FTTH broadband service in the Rural Bismarck, North Dakota area and currently serves these areas with speeds far greater than 4 Mbps downstream and 1 Mbps upstream.

BEK Communications Cooperative, founded in 1952, is a multi-faceted communications services company headquartered in Steele, North Dakota. The company provides facilities-based voice, Internet, Ethernet and digital IPTV services, voice and surveillance cloud based services, live sports broadcasting, hospital and business communications solution, to more than 7,000 customers in south-central North Dakota. The company emphasizes an intimate local service experience and a broad portfolio of high quality communications services at a reasonable price. We are recognized as members serving members, where no one else will. BEK also serves the rural area located directly around Bismarck, ND. Within the rural Bismarck area, customers are treated like cooperative members. Although they are not eligible to earn capital credits like members of the cooperative, they receive the same great services at affordable prices. Over the years, BEK has invested heavily in the electronics and infrastructure necessary to deliver state of- the-art services to their customers. The complex design of the network gives BEK the capability of providing many basic and advanced services including: local and long distance telephone service, high speed Internet, digital TV, advanced intelligent network features, ISDN, dedicated data circuits, Ethernet transport for cell towers, surveillance and much more.

BEK has completed a multi-year upgrade to FTTH in the remote areas, bringing the functionality of the digital services out to the last mile of transmission line. This allows all BEK subscribers access to the most advanced technologies even in the most remote rural areas. This investment yields a fiber network consisting of over 6,000 miles of fiber optic cable.

Therefore, the attached Appendix A provides the most current broadband service data regarding the blocks on Appendix A. Also included with this filing as documented evidence for

BEK's service in the respective census blocks, is an Affidavit from Derrick Bulawa, Chief

Executive Officer of BEK, as well as a screen print from BEK's website outlining the available

speeds up to 200 Mbps / 2 Mbps, attached hereto as Appendix B. Also attached as Appendix C

are redacted customer bills showing BEK is capable of providing broadband services far greater

than 4 Mbps downstream and 1 Mbps upstream to addresses within the census blocks in

question.

BEK's FTTH broadband platform within the Rural Bismarck, North Dakota Exchange is

capable of delivering bandwidth up to 200 Mbps / 2 Mbps, far greater than the minimum speeds

of 4 Mbps downstream and 1 Mbps upstream, to each anchor institution, business and residential

location constructed within the census blocks listed on Appendix A.

BEK appreciates the opportunity to file these comments relating to areas shown as

eligible census blocks that price cap carriers have requested funding to serve as part of the

second round of Connect America Phase I. In conclusion, BEK requests the census blocks listed

on Appendix A all within the Rural Bismarck, North Dakota Exchange be deemed as served for

the reasons stated herein and be removed from the list of areas eligible for Phase I support going

forward.

Respectfully submitted,

By: /s/ Derrick Bulawa

Derrick Bulawa

Chief Executive Officer

BEK Communications Cooperative

200 E. Broadway

PO Box 230

Steele, ND 58482-0230

(701) 475-2361 (phone)

(701) 475-2320 (fax)

September 25, 2013

cc: Ryan Yates at Ryan. Yates@fcc.gov

Charles Tyler at Charles Tyler@fcc.gov

APPENDIX A

List of Blocks that Do Not Belong on the Bureau's List of census blocks that price cap carriers have requested funding to serve as part of the second round of Connect America Phase I

| Burleigh County, North Dakota: |
|--------------------------------|
| |
| 380150110021000 |
| 380150113003003 |
| 380150113003044 |
| 380150113003068 |
| 380150113003071 |

380150113003159

AFFIDAVIT

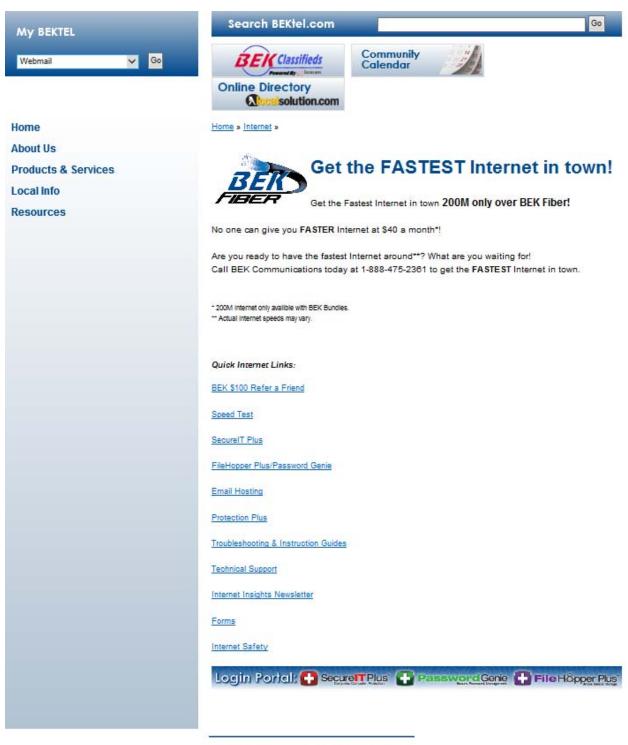
- I, Derrick Bulawa, as Chief Executive Officer of and on behalf of BEK Communications Cooperative, have personal knowledge of the following:
 - (i) BEK Communications Cooperative has completed a fiber build out within the above listed blocks and is capable of providing speeds far greater than 4 Mbps downstream and 1 Mbps upstream; and
 - (ii) The above listed blocks are served with broadband service with available speeds up to 200 Mbps / 2 Mbps as a result of BEK Communications Cooperative's fiber buildout.

I verify under penalty of perjury that the foregoing is true and correct. Executed on September 25, 2013.

/s/ Derrick Bulawa

Derrick Bulawa, Chief Executive Officer, BEK Communications Cooperative

APPENDIX B



BEK Communications

APPENDIX C

Customer bills from addresses within the census blocks in question. The attached customer bills have been redacted to protect customer privacy.

Burleigh County, North Dakota:

380150110021000 – 5101 43rd Avenue NE, Bismarck, ND 58503

3510 80th St NE, Bismarck, ND 58503

4101 52nd St NE, Bismarck, ND 58503

3915 52nd St NE, Bismarck, ND 58503

380150113003003 – There are no households within BEK's service area within this census block. BEK has fiber constructed around the perimeter of the census block and is able to provide high speed broadband service up to 200 Mbps / 2 Mbps within 10 days of a request.

380150113003044 - There are no households within BEK's service area within this census block. BEK has fiber constructed around the perimeter of the census block and is able to provide high speed broadband service up to 200 Mbps / 2 Mbps within 10 days of a request.

380150113003068 - There are no households within BEK's service area within this census block. BEK has fiber constructed around the perimeter of the census block and is able to provide high speed broadband service up to 200 Mbps / 2 Mbps within 10 days of a request.

380150113003071 - There are no households within BEK's service area within this census block. BEK has fiber constructed around the perimeter of the census block and is able to provide high speed broadband service up to 200 Mbps / 2 Mbps within 10 days of a request.

380150113003159 – 6200 Apple Creek Rd, Bismarck, ND 58504

5450 Apple Creek Rd, Bismarck, ND 58504

5500 Apple Creek Rd, Bismarck, ND 58504

380150113003175 - 5425 Apple Creek Rd, Bismarck, ND 58504; This subscriber currently subscribes to voice services only, however BEK is able to provide high speed broadband service up to 200 Mbps / 2 Mbps upon request.



BALANCE FROM LAST BILLING Web Payments Previous Balance Due

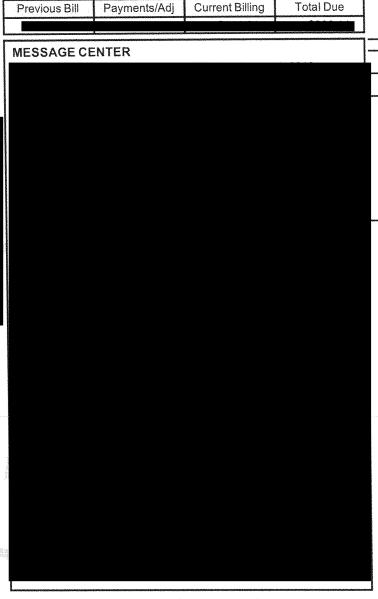
08-21

SUMMARY BY SERVICE TYPE

TELEPHONE SERVICES MISCELLANEOUS SERVICES INTERNET SERVICES **BEKTV** SELECT TV WITH FREE HD

CURRENT BILLING AMOUNT

Total Due: Please Pay This Amount



ACCOUNT NO:

Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.

BILLING NO:



Total Due Payment Due 09/01/2013 09/20/2013 **Enter Amount Paid** ACCOUNT NO: BILLING NO:

380150110021000 - Census Block

4278 2 AV 0.360

4 4278 C-18 P-18

5201 43RD AVE NE BISMARCK ND 58503-8006

Mailing Address Change on Back

BEK COMMUNICATIONS 200 EAST BROADWAY PO BOX 230 STEELE ND 58482-0230







ACCOUNT NO: BILLING NO: BILL DATE: 09/01/2 Page: 5 of 6

MONTHLY USAGE FOR BILLING NO: Quantity Date Amount Description Previous Balance Due MISCELLANEOUS SERVICES 09/03 LATE FEE CHARGE MISCELLANEOUS SERVICES SUBTOTAL 09/01-09/30 INTERNET SERVICES 100M HIGH SPEED INTERNET 08/13-08/31 100M HIGH SPEED 08/21-08/31 100M HIGH SPEED NORTH DAKOTA STATE TAX INTERNET SERVICES SUBTOTAL SUB-TOTAL CURRENT BILLING AMOUNT Total Due: Please Pay This Amount



SELECT TV WITH FREE HD

CURRENT BILLING AMOUNT

SUB-TOTAL

SELECT TV WITH FREE HD SUBTOTAL

ACCOUNT NO: BILLING NO: BILL DATE: 09/01/2013 Page: 6 of 6

MONTHLY USAGE FOR Video No.: Quantity Amount Date Description Previous Balance Due TELEPHONE SERVICES 08/21 NON PAY RECONNECT CHARGE TELEPHONE SERVICES SUBTOTAL 09/01-09/30 **BEKTV BEKTV SUBTOTAL** 08/13-08/31 SELECT TV WITH FREE HD SELECT TV WITH FREE HD SUBTOTAL 08/21-08/31 SELECT TV WITH FREE HD SELECT TV WITH FREE HD SUBTOTAL





Total Due: Please Pay This Amount

09/01-09/30



BALANCE FROM LAST BILLING Payments Received 08-12 Previous Balance Due SUMMARY BY SERVICE TYPE **RES UNL LOCAL & LONG DISTANCE BUND** MISCELLANEOUS SERVICES MANDATED FEES **BEK LONG DISTANCE** INTERNET SERVICES **BEKTV** SELECT TV WITH FREE HD **CURRENT BILLING AMOUNT** Total Due: Please Pay This Amount

ACCOUNT NO: Telephone No.: **Current Billing Total Due** Payments/Adj Previous Bill **MESSAGE CENTER**

Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.



| | Payment Due | Total Due |
|-------------------------------|--|-------------|
| 09/01/2013 | 09/20/2013 | |
| | ■ 1 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 | Amount Paid |
| ACCOUNT NO: Telephone No.: | press e epocies de secondo con compresso de la | |

|380150110021000 - Census Block

4323 2 AV 0.360

4 4323 C-19 P-19

3510 80TH ST NE

BISMARCK ND 58503-8017

Mailing Address Change on Back

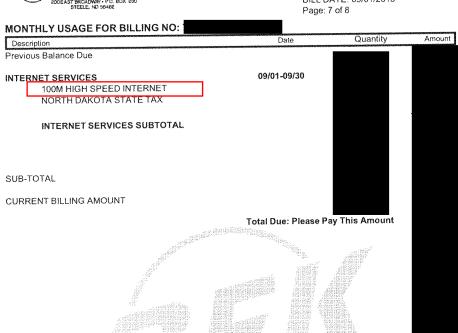
3652900000122070070125533870000143396

BEK COMMUNICATIONS 200 EAST BROADWAY PO BOX 230 STEELE ND 58482-0230



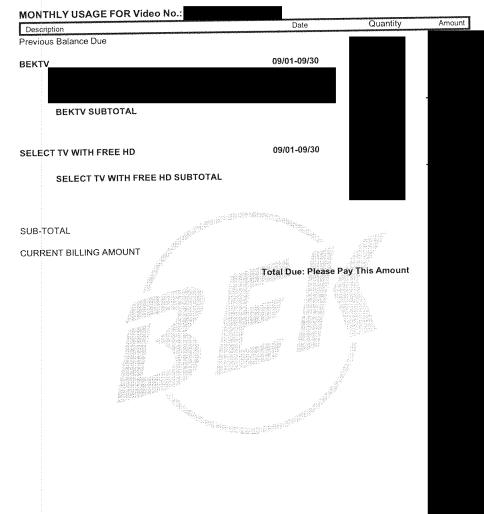


ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013





ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013 Page: 8 of 8



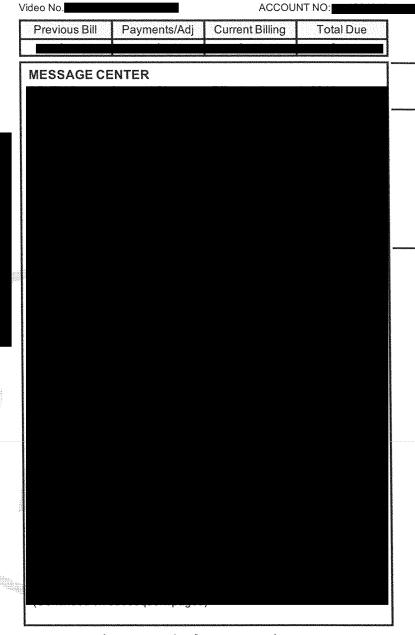


SUMMARY BY SERVICE TYPE MISCELLANEOUS SERVICES INTERNET SERVICES **BEKTV** SELECT TV WITH FREE HD

No Payments Received **Previous Balance Due**

CURRENT BILLING AMOUNT

Total Due: Please Pay This Amount



Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.



| | Payment Due | Total Due |
|-------------|-------------|---------------|
| 09/01/2013 | 09/20/2013 | |
| ACCOUNT NO: | Ente | r Amount Paid |
| Video No.: | | |

BEK COMMUNICATIONS 200 EAST BROADWAY PO BOX 230

STEELE ND 58482-0230

380150113003159- Census Block

4896 2 AV 0.360

4 4896 C-21 P-21

6200 APPLE CREEK RD BISMARCK ND 58504-3802

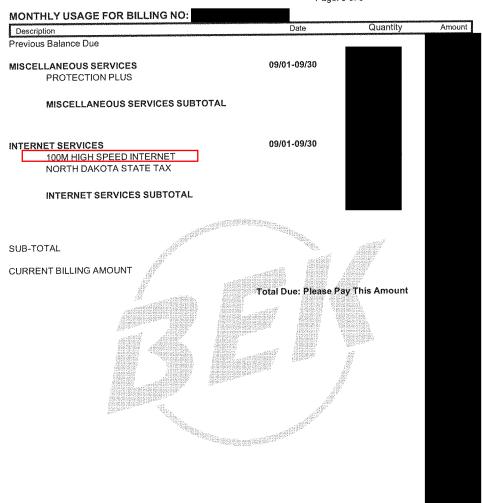
Mailing Address Change on Back



ACCOUNT NO Video No.:

BILL DATE: 09/01/2013

Page: 5 of 6





ACCOUNT NO Video No.:

BILL DATE: 09/01/2013

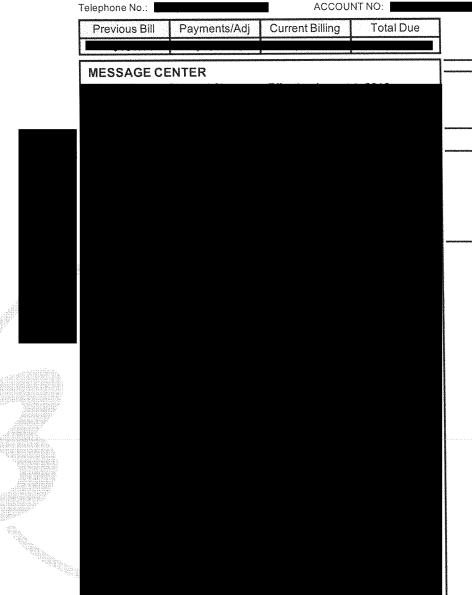
Page: 6 of 6

| MONTHLY USAGE FOR Video No.: | Date | Quantity | Amou |
|--|---|----------------|--------|
| Description Previous Balance Due | Management of the Commence of | Quantity | ATTIOU |
| MISCELLANEOUS SERVICES | | | |
| LATE FEE CHARGE | 09/03 | | |
| MISCELLANEOUS SERVICES SUBTOTAL | | | |
| BEKTV | 09/01-09/30 | | |
| | | | |
| BEKTV SUBTOTAL | | | |
| SELECT TV WITH FREE HD | 09/01-09/30 | | |
| SELECT TV WITH FREE HD SUBTOTAL | | | |
| | | | |
| SUB-TOTAL | | | |
| CURRENT BILLING AMOUNT | | | |
| CURRENT BILLING AMOUNT | | au Thio Amount | |
| | Total Due: Please P | ay This Amount | |
| Fried Station (1992 Parkets) (1992 P | | #" | |
| Angel Statement | | | |
| | | | |
| **** | | | |
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| | | | |





BALANCE FROM LAST BILLING Payments Received 08-15 Previous Balance Due SUMMARY BY SERVICE TYPE RES UNL LOCAL & LONG DISTANCE BUND MANDATED FEES **BEK LONG DISTANCE** INTERNET SERVICES **BEKTV EXPANDED TV WITH FREE HD CURRENT BILLING AMOUNT** Total Due: Please Pay This Amount



Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.



Payment Due **Total Due** 09/01/2013 09/20/2013 **Enter Amount Paid** ACCOUNT NO: Telephone No.:

380150110021000 - Census Block

4261 2 AV 0.360

4 4261 C-18 P-18

4101 52ND ST NE BISMARCK ND 58503-8013

■ Mailing Address Change on Back

BEK COMMUNICATIONS 200 EAST BROADWAY PO BOX 230 STEELE ND 58482-0230



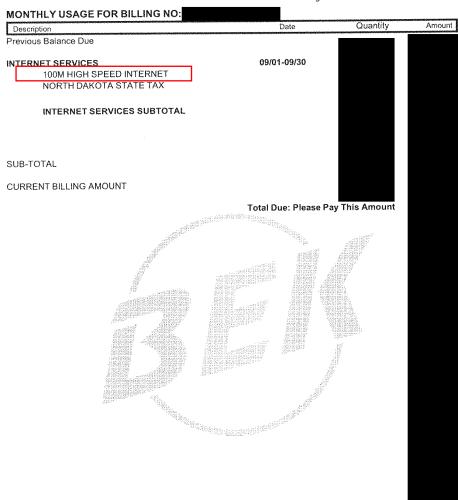




ACCOUNT NO: Telephone No.:

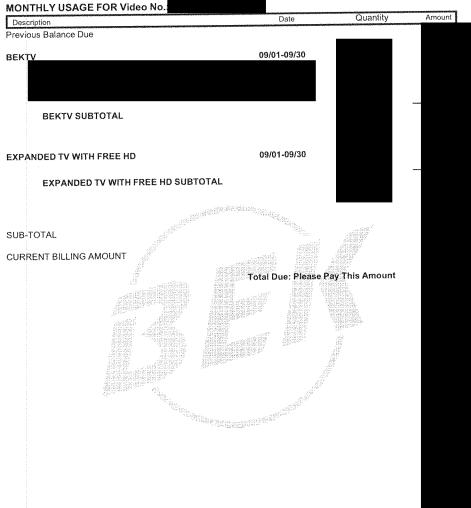
BILL DATE: 09/01/2013

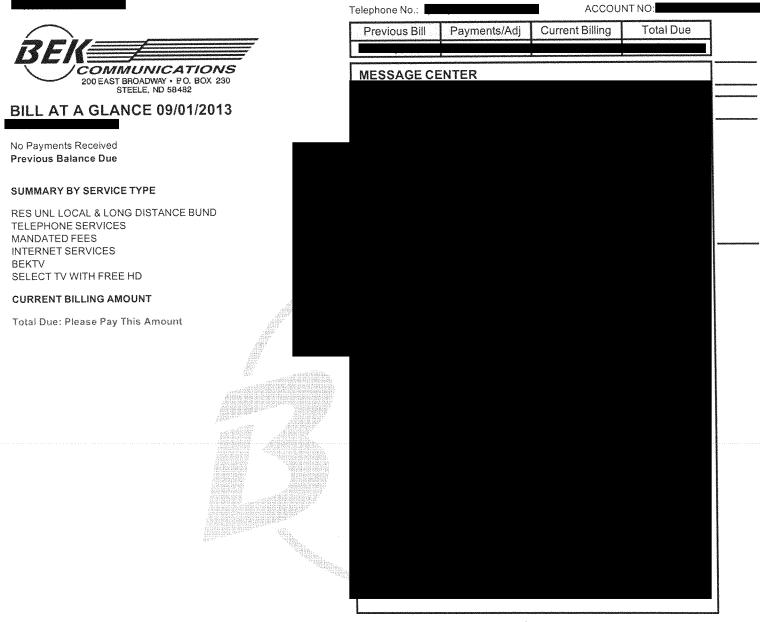
Page: 7 of 8





ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013 Page: 8 of 8





Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.



| | Payment Due | Total Due |
|----------------|-------------|--|
| 09/01/2013 | 09/20/2013 | On the Contract of the Contrac |
| ACCOUNT NO: | Enter | r Amount Paid |
| Telephone No.: | | |

380150113003159- Census Block

5025 2 AV 0.360

C-22 P-22

5450 APPLE CREEK RD BISMARCK ND 58504-3801

Mailing Address Change on Back

BEK COMMUNICATIONS 200 EAST BROADWAY PO POX 230 STEELE ND 58482-0230

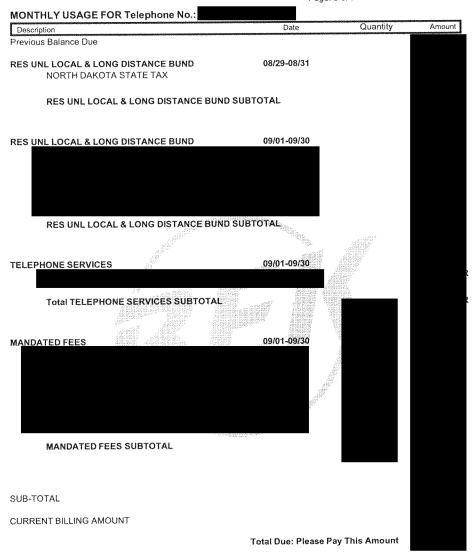






ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013

Page: 5 of 7



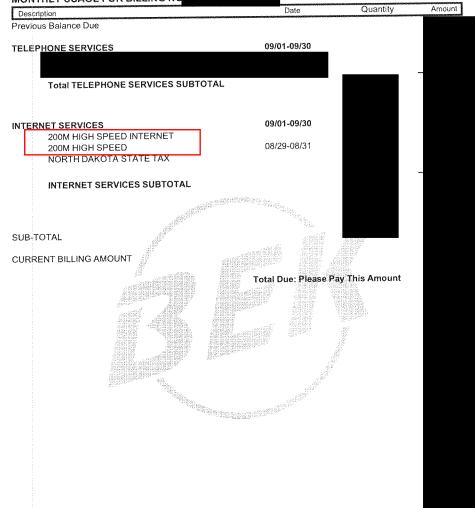
The carrier you have chosen for your long distance (InterLATA) calls is BEK LD. The carrier you have chosen for your long distance (IntraLATA) calls is BEK LD.





ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013 Page: 6 of 7

MONTHLY USAGE FOR BILLING NO







BALANCE FROM LAST BILLING Web Payments **Previous Balance Due**

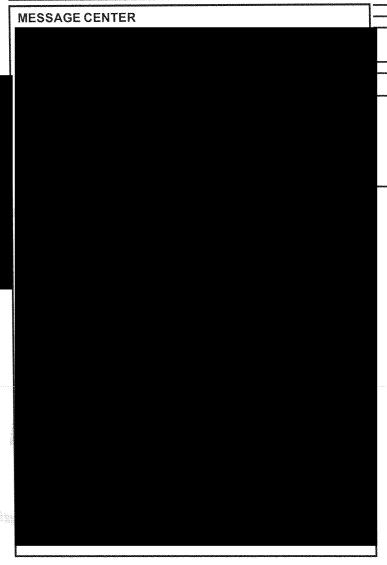
08-08

SUMMARY BY SERVICE TYPE

MISCELLANEOUS SERVICES INTERNET SERVICES **BEKTV** SELECT TV WITH FREE HD

CURRENT BILLING AMOUNT

Total Due: Please Pay This Amount



ACCOUNT NO:

Current Billing

Payments/Adj

Total Due

Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.

BILLING NO:

Previous Bill



Payment Due **Total Due** 09/01/2013 09/20/2013 **Enter Amount Paid** ACCOUNT NO: BILLING NO:

380150113003159- Census Block

5462 2 AT 0.384

4 5462 C-25 P-29

PO BOX 627

BISMARCK ND 58502-0627

5450 Apple Creek Dr

BEK COMMUNICATIONS 200 EAST BROADWAY PO BOX 230 STEELE ND 58482-0230



Mailing Address Change on Back

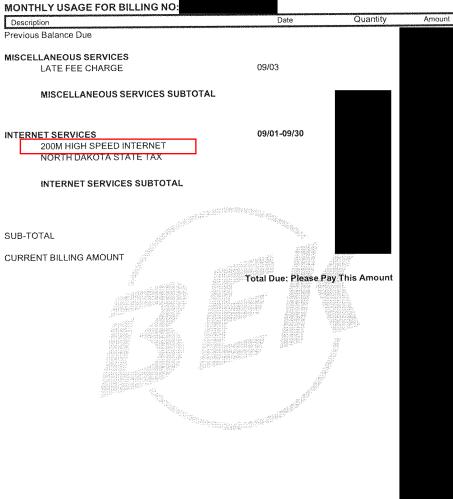






ACCOUNT NO: BILLING NO: BILL DATE: 09/01/2013

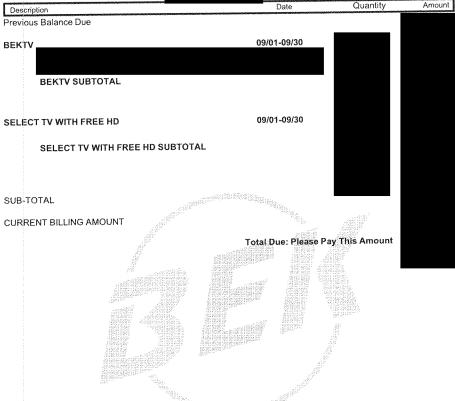
Page: 5 of 6





ACCOUNT NO: BILLING NO: BILL DATE: 09/01/2013 Page: 6 of 6

MONTHLY USAGE FOR Video No.









BALANCE FROM LAST BILLING Payments Received **Previous Balance Due**

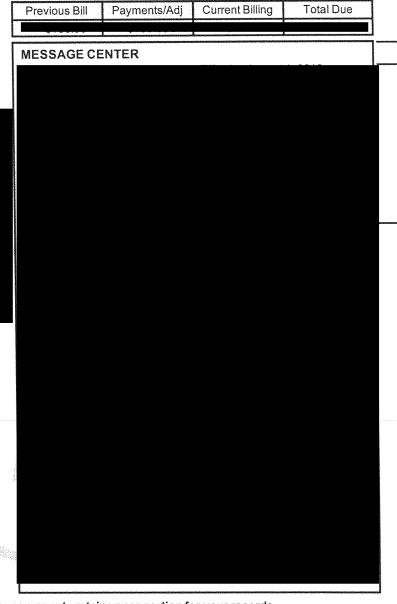
08-15

SUMMARY BY SERVICE TYPE

RES UNL LOCAL & LONG DISTANCE BUND MANDATED FEES BEK LONG DISTANCE INTERNET SERVICES BEKTV SELECT TV WITH FREE HD

CURRENT BILLING AMOUNT

Pay By Bank -- Do Not Pay



ACCOUNT NO:

Please return lower portion with your payment...retain upper portion for your records.

Please do not attach payment to the stub.

Telephone No.:



 Payment Due
 Total Due

 09/01/2013
 09/20/2013

 Enter Amount Paid

 ACCOUNT NO:

 Telephone No.:
 Pay By Bank

380150113003159- Census Block

4622 1 AV 0.360

4 4622 C-20 P-20

5500 APPLE CREEK RD BISMARCK ND 58504-3848

☐ Mailing Address Change on Back

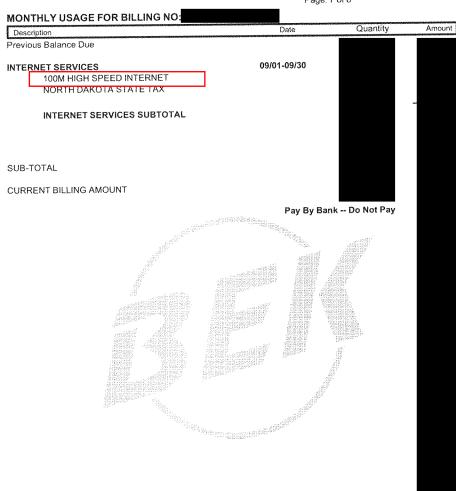






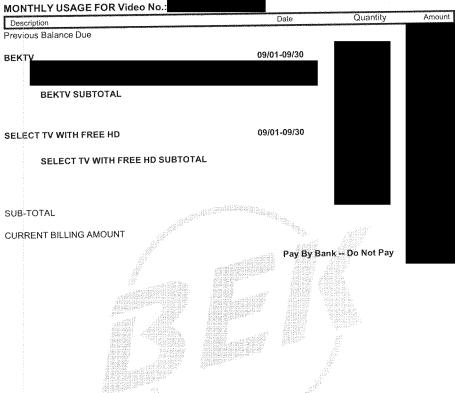
ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013

Page: 7 of 8





ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013 Page: 8 of 8





BALANCE FROM LAST BILLING Payments Received Previous Balance Due

08-12

SUMMARY BY SERVICE TYPE

RES UNL LOCAL & LONG DISTANCE BUND MANDATED FEES **BEK LONG DISTANCE**

CURRENT BILLING AMOUNT

Total Due: Please Pay This Amount

This customer does not currently subscriber to broadband services, however BEK is able to provide high speed broadband service upon request.



Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.



Payment Due Total Due 09/01/2013 09/20/2013 **Enter Amount Paid** ACCOUNT NO: Telephone No.:

380150110021000 - Census Block

4265 2 AV 0.360

4 4265 C-18 P-18

3915 52ND ST NE

BISMARCK ND 58503-8014

■ Mailing Address Change on Back

3652900000115800070125848050000039277

BEK COMMUNICATIONS 200 EAST BROADWAY PO BOX 230

STEELE ND 58482-0230





ACCOUNT NO:

Telephone No.: BILL DATE: 09/01/2013 Page: 5 of 6

MONTHLY USAGE FOR Telephone No.:

Date Quantity Amount Previous Balance Due 09/01-09/30 **RES UNL LOCAL & LONG DISTANCE BUND RES UNL LOCAL & LONG DISTANCE BUND SUBTOTAL** 09/01-09/30 MANDATED FEES MANDATED FEES SUBTOTAL SUB-TOTAL BEK LONG DISTANCE TOTAL CHARGES CURRENT BILLING AMOUNT Total Due: Please Pay This Amount The carrier you have chosen for your long distance (InterLATA) calls is BEK LD. The carrier you have chosen for your long distance (IntraLATA) calls is BEK LD.





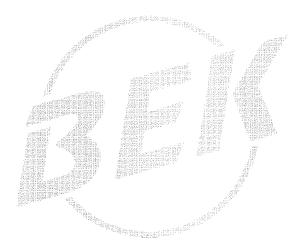
ACCOUNT NO: Telephone No.: BILL DATE: 09/01/20 Page: 6 of 6

BEK LONG DISTANCE USAGE FOR Telephone No.: Billing Inquiries Call: 1(888)475-2361

INDICATOR LEGEND

| TC | TYPE OF CALL | TC | TYPE OF CALL |
|----------|---|----|--------------|
| DD RU | DIRECT DIAL - DAY RATE RESIDENTIAL UNLIMITED | | |

BEK LONG DISTANCE SUBTOTAL BEK LONG DISTANCE TOTAL ITEMIZED CHARGES







No Payments Received Previous Balance Due

SUMMARY BY SERVICE TYPE

RES UNL LOCAL & LONG DISTANCE BUND MANDATED FEES

CURRENT BILLING AMOUNT

Total Due: Please Pay This Amount

This customer does not currently subscriber to broadband services, however BEK is able to provide high speed broadband service upon request.

ACCOUNT NO: Telephone No.: | **Total Due** Payments/Adj **Current Billing** Previous Bill MESSAGE CENTER

Please return lower portion with your payment...retain upper portion for your records. Please do not attach payment to the stub.



09/01/2013 09/20/2013 **Enter Amount Paid** ACCOUNT NO: Telephone No.:

Payment Due

Total Due

380150113003175- Census Block

5021 2 AV 0.360

4 5021 C-22 P-22

5425 APPLE CREEK RD BISMARCK ND 58504-58504-3801

Mailing Address Change on Back

BEK COMMUNICATIONS 200 EAST BROADWAY PO POX 230 STEELE ND 58482-0230







ACCOUNT NO: Telephone No.: BILL DATE: 09/01/2013 Page: 5 of 5

MONTHLY USAGE FOR Telephone No.:

| Description | Date | Quantity | Amour |
|--|--|--------------------------|-------|
| Previous Balance Due | And the second s | | |
| RES UNL LOCAL & LONG DISTANCE BUND NORTH DAKOTA STATE TAX | 08/09-08/31 | | |
| RES UNL LOCAL & LONG DISTANCE BUND | SUBTOTAL | | |
| RES UNL LOCAL & LONG DISTANCE BUND | 09/01-09/30 | | |
| | | | |
| | | | |
| Nottin District the Control of the C | W4822 | | |
| RES UNL LOCAL & LONG DISTANCE BUND | CURTOTAL SESSE | | |
| RES UNL LOCAL & LONG DISTANCE BUNL | JUBIUTAL SEE | | |
| MANDATED FEES | 09/01-09/30 | | |
| | | | |
| | | | |
| | | | |
| | | | |
| 级特益技术(A.S. | TER. | | |
| MANDATED FEES SUBTOTAL | | | |
| | | | |
| SUB-TOTAL | | | |
| CURRENT BILLING AMOUNT | | | |
| | Total Due: Please P | ay This Amount | |
| The carrier you have chosen for your long | distance (InterLATA) calls | is BEK LD. is BEK LD. | |



